

**COPY**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Daniel A. Ferrie,

Plaintiff,

vs.

K Mart Corporation,

Defendant.

CIVIL ACTION NO.  
04-12068 JLT

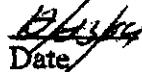
PLAINTIFF'S RULE 16.1(d)(3) CERTIFICATION

The undersigned hereby certify that they have conferred with respect to the above matter

(a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

By:

  
Daniel A. Ferrie

  
Date

By:

  
Paul F. Wood, BBO No. 565195  
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45 Bowdoin Street  
Boston, Massachusetts 02114  
(617) 532-2666

12/23/04

Date

I hereby certify that a true copy of the within document was served upon all ~~pro se~~ parties/attorneys of record by hand/first class mail, postage prepaid on 12-23-04